



Atty. Docket No. KIK01 P-322

77/2863  
#13  
EOT (my)  
Not Appealed  
SDavis  
6/10/03

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P.O.Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

June 2, 2003  
Date

Melanie S. Jernberg  
Melanie S. Jernberg

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 2863  
Examiner : Xiuqin Sun  
Appln. No. : 09/838,905  
Applicant : Kenichiro Kobayashi  
Filing Date : April 20, 2001  
Confirmation No. : 1673  
For : METHOD AND APPARATUS TO MEASURE AMOUNT OF  
MOVEMENT USING GRANULAR SPECK PATTERN  
GENERATED BY REFLECTING LASER BEAM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

NOTICE OF APPEAL FROM THE PRIMARY  
EXAMINER TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES

RECEIVED  
JUN - 9 2003  
TC 2800 MAIL ROOM

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed December 2, 2002 finally rejecting claims 1-17.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

☒ other than a small entity  
☐ small entity

Verified Statement

☐ attached  
☐ previously submitted on \_\_\_\_\_

06/05/2003 6WDRDDF1 00000048 162463 09838905  
01 FC:1253 930.00 CH  
06/05/2003 6WDRDDF1 00000048 162463 09838905  
02 1041:33 20 320.00 CH

Applicant : Kenichiro Kobayashi  
Appln. No. : 09/838,905  
Page : 2

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. §1.17(b) the fee for filing the Notice of Appeal is:

☐ small entity  
☒ other than a small entity

Notice of Appeal fee due: \$320.00

**3. EXTENSION OF TIME**

*(complete (a) or (b) as applicable)*

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §§1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$410.00	\$205.00
<input checked="" type="checkbox"/> three months	\$930.00	\$465.00
<input type="checkbox"/> four months	\$1450.00	\$725.00

Fee: \$930.00

**If an additional extension of time is required please consider this a petition therefor.**

*(check and complete the next item, if applicable)*

- (b) ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$\_\_\_\_\_

or

Applicant : Kenichiro Kobayashi  
Appln. No. : 09/838,905  
Page : 3

- (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee: \$320.00  
Extension fee (if any): \$930.00

Total Fee Due: \$1250.00

**5. FEE PAYMENT**

\_\_\_ Attached is a check in the sum of \$\_\_\_\_\_.

X Charge Account No. 16 2463 the sum of \$1250.00  
A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

X If any additional extension and/or fee is required charge Account No. 16 2463.

and/or

X If any additional fee for claims is required, charge Account No. 16 2463.

Respectfully submitted,

KENICHIRO KOBAYASHI

By: Price, Heneveld, Cooper,  
DeWitt & Litton

6/21/03  
Date

MPD/msj

Marcus P. Dolce  
Marcus P. Dolce  
Registration No. 46 073  
695 Kenmoor, S.E.  
Post Office Box 2567  
Grand Rapids, Michigan 49501  
(616) 949-9610